

AGENCIES WITH EMINENT DOMAIN POWERS IN WASHINGTON STATE

Eminent domain powers are normally exercised through legislative and judicial proceedings by the state, municipalities, and private persons or corporations statutorily authorized. The procedures for initiating condemnation and determination of just compensation are primarily codified in Title 8 of the Revised Code of Washington. Under Title 8, the following governmental entities may exercise the power of eminent domain:

- State (RCW 8.04)
- Counties (RCW 8.08)
- Cities (RCW 8.12)
- School Districts (RCW 8.16; RCW 28A.335)
- Corporations authorized by law to appropriate land or rights of way (RCW 8.20)

Other corporations and agencies with statutory eminent domain powers include:

- municipal corporations of adjoining states dependant on watersheds (RCW 8.28)
- WA Department of Agriculture (RCW 17.24)
- mosquito control district (RCW 17.28)
- corporations of any state for the purpose of owning or operating public warehouses and elevators for storing and handling agricultural commodities, and pertinent rights of way, wharves and boat landings (RCW 22.16)
- state universities and colleges (RCW 28B.10; RCW 28B.50)
- metropolitan park district (RCW 35.61)
- all municipalities may exercise condemnation powers over blight (RCW 35.81)
- housing authorities (RCW 35.82)
- parking commissions (RCW 35.86A)
- county transportation authority (RCW 36.57)
- county rail district (RCW 36.60)
- park and recreation service area (RCW 36.68)
- transportation benefit districts (RCW 36.73)
- roads and bridges – service districts (RCW 36.83)
- county road improvement districts (RCW 36.88)
- local improvement districts (RCW 36.94)
- WA Department of Ecology (RCW 43.21A)
- joint operating agencies generating and transmitting electrical power (RCW 43.52)
- state agency housing (RCW 43.82)
- Expo '74 commission (RCW 43.96B)
- WA Department of Transportation (RCW 47.12, et seq.)
- fire protection districts (RCW 52.12)
- port districts (RCW 53.08)
- industrial development districts – marginal lands (RCW 53.25)
- public utility districts (RCW 54.16)
- water sewer districts (RCW 57.08)

- state convention and trade center (RCW 67.40)
- cemetery district (RCW 68.52)
- hospital district (RCW 70.44)
- fish and wildlife commission (RCW 77.12)
- mining corporations (RCW 78.04)
- state capitol committee (RCW 79.24)
- WA Department of Natural Resources (RCW 79.36)
- Parks and Recreation Commission (RCW 79A.05)
- gas companies (RCW 80.28)
- electrical companies (RCW 80.32)
- telecommunications companies (RCW 80.36.010)
- railroad companies (RCW 81.36)
- companies constructing transportation infrastructure (RCW 81.36)
- oil and gas pipeline companies (RCW 81.88)
- electric power companies (RCW 80.32.060)
- diking districts (RCW 85.05)
- drainage districts (RCW 85.06)
- flood control districts (RCW 86.09)
- irrigation districts (RCW 87.03)
- reclamation districts (RCW 89.30)
- any person (firm, association, or individual) for the beneficial use of water (RCW 90.03)
- water power companies (RCW 90.16)
- the United States re: water rights (RCW 90.40)
- waterway districts (RCW 91.08)